

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION

VANTAGE DEEPWATER COMPANY and
VANTAGE DEEPWATER DRILLING,
INC.,

Petitioners,

-v-

PETROBRAS AMERICA INC.,
PETROBRAS VENEZUELA
INVESTMENTS & SERVICES, BV, and
PETRÓLEO BRASILEIRO S.A. –
PETROBRAS,

Respondents.

Civil Action No. 4:18-cv-2246

RESPONDENTS' MOTION REGARDING FILING DOCUMENTS UNDER SEAL

Respondents Petrobras America Inc., Petrobras Venezuela Investments & Services, BV, and Petróleo Brasileiro S.A. – Petrobras (collectively, “Respondents”) file this motion pursuant to the Court’s Procedures and Practices and Administrative Procedure for Electronic Case Filing Number 6.

Respondents are filing this motion at the request of Petitioners Vantage Deepwater Company and Vantage Deepwater Drilling, Inc. (collectively, “Petitioners”), who have asked Respondents to make these filings under seal,¹ so Petitioners may have the opportunity to review them and determine if Petitioners believe any portions of the documents are still confidential and

¹ The relevant documents and related exhibits are filed in connection with (a) Respondents’ Motion to Vacate the Majority Award; (b) Respondents’ Opposition to Petitioners’ Petition to Confirm the Majority Award; and (c) Respondents’ Motion for Leave to Serve a Subpoena in Support of Their Motion to Vacate the Majority Award.

should remain under seal. If Petitioners believe that any of Respondents' filings should remain under seal, Petitioners will presumably notify the Court in a response to this motion.

To be clear, Respondents do not believe that any of their filings are confidential and should be sealed. The arbitration clause at issue has a confidentiality clause that contains an express exception for materials filed in connection with the enforcement of the parties' arbitration agreement and judicial proceedings regarding any arbitration award. Relying upon this exception, Petitioners publicly filed their Petition to Confirm Arbitration Award (Dkt. 1-1) and all of its exhibits—including the majority award (Dkt. 1-3) and the dissent (Dkt. 1-7)—to initiate this proceeding. Respondents likewise believe that all of their filings should be publicly available and are not confidential.

For all these reasons, Respondents have filed this motion at Petitioners' request, and it is incumbent on Petitioners to promptly notify the Court if they believe any of Respondents' filings are still confidential and should remain under seal.

Respectfully submitted,



By: _____
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**ATTORNEYS FOR RESPONDENT
PETRÓLEO BRASILEIRO S.A. – PETROBRAS**

CERTIFICATE OF CONFERENCE

I hereby certify that I conferred with Petitioners' counsel on August 30 and 31, 2018, about this motion and whether documents should be filed under seal. Petitioners' counsel informed me that, because he does not know what Respondents are filing, he does not know if any of Respondents' filings should be filed under seal. Petitioners' counsel represented that, once Respondents submit their filings, Petitioners will review the filings as quickly as they can and notify Respondents and the Court if Petitioners think any portions of the filings should remain under seal.



William M. Katz, Jr.

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing document has been served on all counsel of record via ECF on August 31, 2018.

A handwritten signature in black ink, appearing to read 'W. M. Katz, Jr.', is positioned above a horizontal line.

William M. Katz, Jr.